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FACEBOOK, INC. and MARK ZUCKERBERG

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FOLLOWING PAGE

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

CHILDREN'S HEALTH DEFENSE,

Plaintiff,

v.

FACEBOOK, INC. et al.,

Defendants.

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CHILDREN'S HEALTH DEFENSE

Case No. 3:20-cv-05787-SI

**STIPULATION AND [PROPOSED]  
ORDER RE: APRIL 22, 2021 HEARING  
DATE AND CASE MANAGEMENT  
CONFERENCE**

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THE POYNTER INSTITUTE FOR MEDIA

18 STUDIES, INC.

Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff Children’s Health Defense (“CHD”) and Defendants Facebook, Inc., Mark Zuckerberg, and the Poynter Institute for Media Studies, Inc. (collectively “Defendants”) hereby stipulate and agree as follows:

WHEREAS, on December 15, 2020, Plaintiff filed its Second Amended Complaint (“SAC”) by written consent under Fed. R. Civ. Pro. 15(a)(2) (Dkts. 65-1 and 67);

WHEREAS, on December 21, 2020, pursuant to the stipulated briefing schedule (Dkts. 63 and 67), Defendants filed their Motions to Dismiss the SAC (Dkts. 68 and 69);

WHEREAS, on February 5, 2021, Plaintiff filed its Oppositions to the Motions to Dismiss (Dkts. 70 and 71);

WHEREAS, on March 3, 2021, the Court moved the hearing on the Motions to Dismiss from March 19, 2021 to March 23, 2021 (Dkt. 72);

WHEREAS, on March 5, 2021, Defendants filed Replies in Support of their Motions to Dismiss (Dkts. 73 and 74);

WHEREAS, on March 8, 2021, Plaintiff filed its Motion to Supplement the SAC under Fed. R. Civ. P. 15(d) and exhibits thereto (docketed on ECF as “Motion to Amend/Correct”), and its Motion to Shorten Time under Civil L.R. 6-3 (Dkts. 75 and 76), so that its Motion to Amend/Correct could be heard with Defendants’ pending Motions to Dismiss on March 23, 2021;

WHEREAS, on March 11, 2021, Defendants Facebook, Inc. and Zuckerberg filed their Opposition to CHD’s Motion to Shorten Time (Dkt. 77);

WHEREAS, following an exchange of emails and “meet and confer” telephone conference, the Parties agree that, in the interests of judicial economy and efficiency, the Court should hear the pending Motions to Dismiss (Dkt. 68 and 69) along with the Motion to Amend/Correct (Dkt. 76), and hold the initial Case Management Conference on April 22, 2021, and that the Parties should file their Joint Case Management Statement by April 15, 2021, seven days before the conference (Dkt. 15);

THEREFORE, pursuant to Civil Local Rules 6-2 and 7-12, the Parties hereby stipulate that (1) the Court shall hear the pending Motions to Dismiss and Motion to Amend/Correct on April 22, 2021, at a time that day to be set by the Court; (2) the Case Management Conference will be continued to the

1 same date, and the Parties shall file their Joint Case Management Statement by April 15, 2021; and (3)  
2 Plaintiff's Motion to Shorten Time (Dkt. 77) shall be deemed withdrawn as moot.

3 IT IS SO STIPULATED.

4  
5 Dated: March 15, 2021

6 By: /s/  
7 ROGER I. TEICH

8 *Attorney for Plaintiff*  
9 Children's Health Defense

10 Dated: March \_\_, 2021

11 WILMER CUTLER PICKERING, HALE AND  
12 DORR LLP

13 By: /s/  
14 SONAL N. MEHTA

15 *Attorney for Defendants*  
16 Facebook, Inc. and Mark Zuckerberg

17 Dated: March \_\_, 2021

18 THOMAS & LOCICERO PL

19 By: /s/  
20 CAROL JEAN LOCICERO

21 *Attorney for Defendant*  
22 The Poynter Institute for Media Studies, Inc.

1           **PURSUANT TO STIPULATION AND FOR GOOD CAUSE SHOWN, IT IS SO**  
2 **ORDERED.**

3 Dated: \_\_\_\_\_

\_\_\_\_\_  
SUSAN ILLSTON  
United States District Judge

**ATTORNEY ATTESTATION**

I, Roger Teich, am the ECF User whose ID and password are being used to file this Stipulation and accompanying proposed order. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this document and all attachments has been obtained from each signatory.

Dated: March 15, 2021

By:

ROGER I. TEICH

Counsel for Plaintiff  
Children's Health Defense